

ENTERED

July 05, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

RACHEL WILLARD

Plaintiff.

VS.

FRIENDSWOOD ISD

Defendant.

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CIVIL ACTION NO. 3:18-CV-00233

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

Pending before the Court are Defendant's Objections to Magistrate Judge's Memorandum and Recommendation ("Objections"). Dkt. 27. On May 3, 2019, Defendant's Motion to Dismiss Pursuant to Rule 12(b)(6) (Dkt. 12) was referred to Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(B). *See* Dkt. 23. On June 11, 2019, Judge Edison filed a Memorandum and Recommendation (Dkt. 26) recommending that Defendant's Motion to Dismiss Pursuant to Rule 12(b)(6) (Dkt. 12) be **GRANTED in part** and **DENIED in part**.

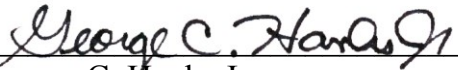
On June 13, 2019, Defendant filed its Objections. In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

The Court has carefully considered the Objections; the Memorandum and Recommendation; the pleadings; and the record. The Court **ACCEPTS** Judge Edison's Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 26) be **APPROVED AND ADOPTED** in its entirety as the holding of the Court; and
- (2) Defendant's Motion to Dismiss Pursuant to Rule 12(b)(6) (Dkt. 12) be **GRANTED in part** and **DENIED in part**. More specifically,
(1) Willard's retaliation claim against Friendswood ISD be dismissed; and
(2) Willard's discrimination claim against Friendswood ISD remain.

It is so **ORDERED**.

SIGNED at Galveston, Texas, this 5th day of July, 2019.



George C. Hanks Jr.
United States District Judge